

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DRAPIKOWSKI,
Plaintiff,

v.

MALVERN INSTITUTE, INC.,
Defendant.

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CIVIL ACTION

No. 21-39

ORDER

AND NOW, this 1st day of **December 2021**, upon consideration of Defendant's Motion to Dismiss, Plaintiff's response thereto, and Defendant's reply thereon, it is hereby **ORDERED** that the motion (Document No. 7) is **GRANTED in part** and **DENIED in part** as follows:

1. The Motion is **GRANTED** with respect to Plaintiff's claim for discrimination under the Pennsylvania Human Relations Act ("PHRA").
2. The Motion is **GRANTED** with respect to Plaintiff's claim for discrimination under the Americans with Disabilities Act ("ADA") to the extent it relates to Defendant's allegedly unlawful conduct occurring outside the 300 days before April 8, 2020. The Motion is **DENIED** with respect to Plaintiff's claim for discrimination under the ADA to the extent it relates to Defendant's allegedly unlawful conduct occurring within the 300 days before April 8, 2020.
3. The Motion is **DENIED** with respect to Plaintiff's claims for retaliation under the Family and Medical Leave Act, retaliation under the ADA, retaliation under the PHRA, and wrongful termination under Pennsylvania common law.

BY THE COURT:



Berle M. Schiller, J.